

## **CITY OF HOLLISTER - AGENDA**

for **City Council Meeting**

of **October 17, 2005**

at **6:30 p.m.** in the City Council Chambers, City Hall, 375 Fifth Street, Hollister

### **NOTICE TO PUBLIC**

Persons who wish to address the City Council must complete a Speakers Card and give it to the Clerk prior to addressing the City Council. Those who wish to address the City Council on an agenda item will be heard when the presiding officer calls for comments from the audience. City related items not on the agenda will be heard under the Public Input section, Section B, of the agenda. Following recognition persons desiring to speak are requested to advance to the podium and state their name and address. After hearing audience comments, the public portion of the meeting will be closed and the matter brought to the City Council for discussion and action.

Requests to make presentations to the City Council should be submitted to the City Clerk's Office at least ten days preceding the City Council meeting. It is customary for the staff members to review such matters prior to formal presentation in order that the City Council may have the benefit of all available data.

All matters listed under Consent Resolution will be enacted by one motion authorizing actions indicated for those items so designated. There will be no separate discussion of these items unless requested by a member of the City Council, a staff member, or a citizen.

**\*\* 6:00 p.m. - Closed Session -- See Attached Agenda.**

### **Call to Order**

### **Pledge of Allegiance**

### **Roll Call:**

Mayor Pauline Valdivia, Council Members Brad Pike, Robert Scattini, Doug Emerson and Monica Johnson, City Manager Clint Quilter, City Attorney Elaine Cass, and City Clerk Geri Johnson.

### **Verification of Agenda Posting**

**Proclamation:** Red Ribbon Week October 23-31, 2005

**6:00 p.m. - CLOSED SESSION AGENDA:**

- A. Public comment (limited to any item listed on Closed Session agenda).
- B. A Closed Session will be held by the City Council of the City of Hollister to discuss all or some of the following matters:
  - 1. Conference with Legal Counsel - Anticipated Litigation - Significant Exposure to Litigation pursuant to Government Code Section 54956.9(b) - (3 potential cases will be discussed).
  - 2. Conference with Legal Counsel - Anticipated Litigation - Initiation of Litigation pursuant to Government Code Section 54956.9(c) - (2 potential cases will be discussed).
  - 3. Conference with Legal Counsel - Pending Litigation - Pursuant to Government Code Section 54956.9(a) –
    - a. RWQCB – Cease and Desist Order No. R3-2002-0105
    - b. City of Hollister v. Monterey Insurance Company, California Capital Insurance Company, Case Number M65916
    - c. Nicholson v. Hollister, Case No. CU-04-00063
    - d. Borges et al v. Hollister, Case No. CV030139
  - 4. Conference with Labor Negotiator pursuant to Government Code Section 54957.6:

Agency Negotiator: Clint Quilter

Employee Organizations: Service Employees International Union, Local 817; Hollister Firefighters Union, Local 3395; Hollister Peace Officers Association, Hollister Mid-Management Association; and un-represented employees in classifications designated as Executive Management and Confidential.

**6:30 p.m. - AGENDA**

**A. CONSENT RESOLUTION (October 17, 2005):**

All items listed under consent Resolution will be enacted by one motion authorizing actions indicated for those items so designated. There will be no separate discussion of these items unless requested by a member of the City Council, a Staff member, or a Citizen.

**Consent Items are Numbers A1, A2, A3, A4, A5, and A6**

- A1. Minutes of Regular Meeting of October 3, 2005.

Approve Minutes of the Regular Meeting of October 3, 2005, as submitted.

A2. Warrant Registers.

The City Council will ratify and approve the following Warrant Registers dated:

- September 30, 2005, in the amount of \$ 80,201.68.
- October 7, 2005, in the amount of \$ 366,609.83.

A3. Resolution No. 2005-143, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER ADOPTING THE 2006 COMMUNITY MEDIA ACCESS PARTNERSHIP (CMAP) ANNUAL PLAN.

This Resolution will consider adopting the 2006 CMAP Annual Plan.

A4. Resolution No. 2005-144, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING TEMPORARY STREET CLOSURE FOR THE ANNUAL RED RIBBON WEEK ACTIVITIES.

This Resolution will approve temporary street closure for the Annual Red Ribbon Week program to be held on October 30, 2005.

A5. Resolution No. 2005-145, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING TEMPORARY STREET CLOSURE FOR THE ANNUAL "NO TRICKS, JUST TREATS".

This Resolution will approve temporary street closure for the Annual "No Tricks, Just Treats", to be held on October 29, 2005.

A6. Claim Against the City – Davis

A claim against the City has been filed by Joe Davis. Staff recommends denial of this claim and seeks authorization to send the Notice of Rejection to the claimant.

**B. PETITIONS, REMONSTRANCES, AND COMMUNICATIONS:**

1. PUBLIC INPUT.

This is the time for anyone in the audience to speak on any item not on the agenda and within the subject matter jurisdiction of the council. When the City Clerk calls your name, please come to the podium, state your name and address for the record, and speak to the Council. Each speaker will be limited to two (2) minutes. Please note that state law prohibits the council from discussing or taking action on any item not on the agenda.

**C. PUBLIC HEARINGS (On or After 6:30 p.m.)**

1. Conduct Appeal Hearing for Mrs. Sharon Sausedo.

### **Conduct Appeal Hearing**

The City Council will conduct an appeal hearing of a planning commission decision to revoke a home occupation permit from Mrs. Sharon Sausedo.

#### **D. INTRODUCTION AND ADOPTION OF RESOLUTIONS AND ORDINANCES:**

1. Resolution No. 2005-146, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING A SUPPLEMENTAL APPROPRIATION OF FUND #212 FOR THE AIRPORT PERIMETER FENCE PHASE 1, CIP 2319.

This Resolution would approve supplemental funds for the expenditures related to the construction of the Airport Perimeter Fence Project, Phase 1.

#### **E. REPORTS OF CITY COUNCIL, OFFICERS, BOARDS, AND COMMITTEES:**

1. Reports from City Council Committees.

Receive oral reports from members regarding the activities of various Ad hoc and Standing City Council Committees.

2. Reports from City Council, City Manager, City Attorney, and Staff.

Receive oral reports from the City Council, City Manager Quilter, City Attorney Cass, City Clerk Johnson, and other Staff as applicable.

3. Water and Wastewater Issues.

The City Council will receive an oral status report from City Manager Quilter.

4. Hollister Municipal Airport status report.

The City Council will receive an oral status report from Airport Manager Gere regarding the Hollister Municipal Airport.

5. Request from the Ladies Auxiliary to the Veterans of Foreign Wars.

This item is continued to the City Council meeting of November 7, 2005.

6. Plan for rehabilitation of the roof of the Elk's Club located on the Hollister Municipal Airport.

The City Council will receive this report and approve that staff proceed with producing plans and specifications for the repair of the roof of the Elks Lodge.

#### **F. UNFINISHED BUSINESS:**

None.

**G. NEW BUSINESS:**

None.

**H. MISCELLANEOUS:**

None.

**ADJOURNMENT:**

Next Regular City Council Meeting is scheduled for November 7, 2005, at 6:30 p.m.

*In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office at (831) 636-4304. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting [28 CFR 35.102-35.104 ADA Title II].*